

Remarks

This amendment is submitted with a Request for Continued Examination and in response to the official action mailed June 12, 2007. Also submitted are a request for extension under 37 C.F.R. §1.136(a) and the respective official fees for the RCE and extension.

In the official action, objection was made to the drawings for lack of illustration of the water conduit recited in claim 13. Reconsideration is requested. Claim 13 recites a water conduit that passes the pivotable connection of the arm. A conduit passing the pivotable connection of the arm (14) to the fixture (3) is shown in Fig. 2. The conduit is plainly visible and is in fact the only structure that bypasses the pivot. Therefore, the drawings are in compliance with 37 C.F.R. §1.83(a) because the water conduit recited in claim 13 is indeed shown.

Claims 1 and 3-15 were rejected as indefinite under 35 U.S.C. §112, second paragraph, in that it was not considered clear whether or not the "shower head" was a element of the combination. Claim 1 has been amended to positively recite the shower head and to provide proper structural antecedent basis. The claims as amended are definite.

According to the disclosure and claims, a hose (10) connects to a removable shower head (8), and additional shower fixtures (11) are located on the arm (14). The additional shower fixtures can be supplied with water via a conduit, along the arm or by making the arm hollow and using the hollow inside. This aspect is mentioned at page 2, lines 10 to 17 of the specification. The invention enables a person to place the shower head on the support or to detach the shower head, which can be manipulated as a hand shower at the end of the hose. The shower head (8) and the additional shower fixtures (11) have independent water supplies. Therefore, there are several modes of operation with the shower head in the support or being manipulated and with the shower head and the additional fixtures respectively being on (discharging water) or off.

The pending claims were rejected as anticipated (all but claim 9) or obvious (claim 9) over Gransow, US 6,442,775. Reconsideration is requested. Gransow does not disclose or suggest all the elements of the invention defined by claim 1. Gransow neither anticipates the invention nor renders it obvious.

In Gransow, two shower heads 4a, 4b are provided on a support arm. The support arm pivoted on a mounting fixture 1 at axis 10 and is coupled to a water supply (mixing valve 5) via a hose 50. However, Gransow lacks a shower head capable of hand operation on a hose, a detachable shower head, and a shower support having both a shower head and an additional shower head with independent supplies. Gransow fails to meet the invention claimed as a whole.

Claim 9 was rejected under 35 U.S.C. §103 over Gransow in that it was considered obvious to regard either one of Gransow's two shower heads as –the– shower head and to multiply the other one. Even assuming that such a position is correct, the result would be equal to Gransow with multiple shower heads that are permanently affixed, none being detachable for operation on a hose, and no two of the shower heads being independently supplied. There is no basis to conclude the that invention claimed as a whole would have been obvious.

There is no basis of record to suggest a routine modification of Gransow that might approximate the invention. It would not be obvious to couple either one of the Gransow shower heads to the hose and to make the hose-coupled shower head removable. The other shower head would be left dry. The invention would likewise not be met even if such a modification was attempted. There is no reasonable basis to believe that the Gransow device might be usefully modified to make the shower heads removable and to provide each with its own hose. That would defeat the objects of Gransow, namely to provide a wall mounted shower arrangement that can be directed in various ways (Figs. 17 and 18) that resemble the directions in which a hand shower might be aimed. There is no basis to suggest that a person of ordinary skill might expect to improve Gransow by adding hoses, independent water supplies and

removable shower head aspects. There is no basis to believe that the invention claimed as a whole would have been obvious.

Applicant has amended the claims to correct matters of form and aspects considered indefinite. The claims have also been amended to more clearly distinguish over the prior art. The claims as amended include a number of the aspects that were considered apt for recital in claim 1 during discussions subsequent to applicant's amendment in March 2007.

The claims are definite. The invention as claimed is novel over Gransow and the differences between the invention and the prior art are such that the subject matter claimed, as a whole, is not shown to have been obvious. Reconsideration and allowance of pending claims 1, 3-10 and 12-15 are requested.

Respectfully submitted,

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